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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 JUSTIN CHANSE RIDER,

Case No. 2:17-cv-02822-RFB-VCF

10 Petitioner,

ORDER

11 v.

12 ESMERALDA COUNTY SHERIFF,

13 Respondent.

14 Petitioner Justin Chanse Rider has submitted a *pro se* petition for writ of habeas
15 corpus by a pretrial detainee pursuant to 28 U.S.C. § 2241 (ECF No. 1-1). His
16 application to proceed *in forma pauperis* shall be granted (ECF No. 1). This court has
17 conducted a preliminary review of the petition.

18 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma*
19 *pauperis* (ECF No. 1) is **GRANTED**.

20 **IT IS FURTHER ORDERED** that the Clerk **shall file** the petition (ECF No. 1-1).

21 **IT IS FURTHER ORDERED** that the Clerk of Court **SHALL ISSUE** summons for
22 respondent Esmeralda County Sheriff Kenneth Elgan, **AND DELIVER THE SAME**, to
23 the U.S. Marshal for service. The **Clerk SHALL SEND** to petitioner the USM-285 form.
24 The **Clerk also SHALL SEND** a copy of the petition and a copy of this order to the U.S.
25 Marshal for service on respondent. Petitioner shall have **(60) days** within which to
26 furnish to the U.S. Marshal the required USM-285 form with relevant information as to
27 respondent on each form. Within twenty (20) days after receiving from the U.S. Marshal
28 a copy of the USM-285 form showing whether service has been accomplished,

1 petitioner must file a notice with the court indicating whether respondent was served. If
2 petitioner wishes to have service again attempted on an unserved respondent, then a
3 motion must be filed with the court identifying the unserved respondent and specifying a
4 more detailed name and/or address for said respondent, or whether some other manner
5 of service should be attempted.

6 **IT IS FURTHER ORDERED** that henceforth, petitioner shall serve upon
7 respondents or, if appearance has been entered by counsel, upon the attorney(s), a
8 copy of every pleading, motion or other document submitted for consideration by the
9 court. Petitioner shall include with the original paper submitted for filing a certificate
10 stating the date that a true and correct copy of the document was mailed to respondent
11 or counsel for respondent. The court may disregard any paper received by a district
12 judge or magistrate judge which has not been filed with the clerk, and any paper
13 received by a district judge, magistrate judge or the clerk which fails to include a
14 certificate of service.

15 **IT IS FURTHER ORDERED** that respondents shall file a response to the petition,
16 including potentially by motion to dismiss, within **twenty (20) days** of service of the
17 petition, with any requests for relief by petitioner by motion otherwise being subject to
18 the normal briefing schedule under the local rules.

19 **IT IS FURTHER ORDERED** that petitioner shall have **twenty (20) days** from
20 service of the answer, motion to dismiss, or other response to file a reply or opposition,
21 with any other requests for relief by respondents by motion otherwise being subject to
22 the normal briefing schedule under the local rules.

23 **IT IS FURTHER ORDERED** that any additional state court record exhibits filed
24 herein by either petitioner or respondents shall be filed with a separate index of exhibits
25 identifying the exhibits by number. The CM/ECF attachments that are filed further shall
26 be identified by the number of the exhibit in the attachment.

IT IS FURTHER ORDERED that the parties SHALL SEND courtesy copies of all exhibits in this case to the Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, directed to the attention of "Staff Attorney" on the outside of the mailing address label. Additionally, in the future, all parties shall provide courtesy copies of any additional exhibits submitted to the court in this case, in the manner described above.

IT IS FURTHER ORDERED that petitioner's motion for expedited hearing (ECF No. 2) is **DENIED** as moot.

DATED: 12 December 2017.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE